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FISCAL IMPACT STATEMENT

LS 7541

BILL NUMBER: SB 346

NOTE PREPARED: Mar 30, 2007

BILL AMENDED: Mar 29, 2007

SUBJECT: Marion County Superior Courts.

FIRST AUTHOR: Sen. Bray

FIRST SPONSOR: Rep. Porter

BILL STATUS: CR Adopted - 2nd House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: (Amended) This bill removes the requirement that certain judicial decisions made by the superior court of Marion County be made en banc or by a majority of the judges. It also provides procedures for the superior court of Marion County to hear and determine certain matters.

Effective Date: July 1, 2007.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: (Revised) The bill is anticipated to result in potential costs savings for the operations of Marion County courts and a reduction of delays in hearing cases.

"En banc" means all together or all at once. The following table describes three situations in statute that call for all of the judges in a county to hear a case at the same time and what this bill proposes.

Judges Needed			
<u>Code Cite</u>	<u>Subject Matter</u>	<u>Current Law</u>	<u>As Proposed</u>
IC 7.1-3-23-31*	Appeals by applicants for wholesalers permits	Majority	Five-judge panel
IC 36-4-4-5	Disputes occurring concerning power between the executive and legislative branches at the local level	All judges	Five-judge panel in Marion County, en banc in all other counties with three or more judges (34 other counties have three or more judges)
IC 36-7-15.1-11*	Certain written remonstrances concerning redevelopment of blighted areas	At least a majority	One judge unless local court rules or Supreme Court rules require additional judges
* Limited to Marion County			

Not requiring all or a majority of judges to hear these cases in Marion County courts would likely be able to avoid delays in hearing these cases since Marion County has 33 courts.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Marion County Circuit and Superior Courts.

Information Sources: *Indiana Judicial Report*, 2005.

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